

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
NORTHWESTERN DIVISION**

Otis Moore,)	
)	
Plaintiff,)	ORDER RE DISCOVERY OF
)	PLAINTIFF'S WSI FILE
vs.)	
)	
DHS Drilling Company,)	
)	Case No. 4:14-cv-003
Defendant.)	

On September 8, 2014, the court held a telephonic status conference to discuss a dispute over the discovery of plaintiff's Workforce Safety & Insurance ("WSI") file. Attorney Mark V. Larson appeared on plaintiff's behalf. Attorney Rebecca S. Thiem appeared on defendant's behalf. Defendant argued that plaintiff's entire WSI file is discoverable. Plaintiff responded that certain portions of the file are privileged.

As stated during the conference call, the court **ORDERS** that by no later than October 6, 2014, plaintiff shall secure the entire WSI file and (1) provide defendant all portions of the file that plaintiff does not claim are privileged, (2) provide to the court for *in camera* inspection all portions of the file that plaintiff claims are privileged, and (3) file a brief explaining why the portions of the file not disclosed to defendant are privileged. Defendant may file a response within ten (10) days of the filing of plaintiff's brief.

The documents submitted for *in camera* inspection may be emailed to ndd J-Miller@ndd.uscourts.gov or mailed or otherwise submitted directly to chambers. If plaintiff chooses to waive the privilege claim and produce the entire file, plaintiff shall inform the court that this is the case.

IT IS SO ORDERED.

Dated this 8th day of September, 2014.

/s/ Charles S. Miller, Jr.
Charles S. Miller, Jr., Magistrate Judge
United States District Court